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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

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PURPLE INNOVATIONS, LLC,  
a Delaware limited liability company,

Plaintiff,

v.

HONEST REVIEWS, LLC, a Florida  
Corporation, RYAN MONAHAN, an  
individual, and GHOSTBED, INC., a  
Delaware corporation,

Defendants.

**DECLARATION OF RYAN MONAHAN  
IN SUPPORT OF DEFENDANTS  
HONEST REVIEWS, LLC AND RYAN  
MONAHAN'S EMERGENCY MOTION  
TO STAY TEMPORARY RESTRAINING  
ORDER**

Case No.: 2:17-cv-00138-PMW

Honorable Dee Benson

I, Ryan Monahan, declare:

1. I am over eighteen years of age and have personal knowledge of the facts below.
2. I am the sole member and president of Honest Reviews, LLC, a Florida company which operates <honestmattressreviews.com>.

3. I am also the founder, co-owner, and CEO of Social Media Sharks, a Florida company that provides high-level strategic / deployment marketing through existing marketing agencies such as Achieve Agency.

4. I have never worked or lived in Utah. I have never sued anyone in Utah. I never owned a checking account or paid taxes in Utah. I have never visited Utah.

5. Honest Reviews, LLC has no contacts with Utah. Honest Reviews, LLC does not own property or bank accounts in Utah and it has never paid taxes there. Honest Reviews, LLC has never sued anyone in Utah. Honest Reviews, LLC has never sold any goods or services within the State of Utah.

6. Defendant GhostBed currently contracts with Achieve Agency to perform social media marketing. Achieve Agency in turn engages Social Media Sharks to provide a portion of those services. Social Media Sharks provides similar services to over twenty-five other companies. None of the services Social Media Sharks provides to GhostBed through Achieve Agency involve Honest Reviews, LLC, which is a separately run company.

7. I was invited to speak at a Content and Commerce Summit that took place September 15-17, 2016. I spoke as a Digital Marketer Certified Partner and the Founder of Social Media Sharks. For the purposes of the bio, I was asked to provide the Summit organizers with a title. In order to try and promote myself, as a marketing tool, I described myself as Chief Brand Officer for GhostBed. I also used the title on my LinkedIn and Twitter accounts.

8. Shortly after I returned from the conference, GhostBed learned about me using the title. Their attorney called me and scolded me for doing so, and insisted that I stop.

9. I never had an office with GhostBed. I did not have a phone extension or any access to their phone system.

10. Upon knowledge and belief, the e-mail [marketing@ghostbed.com](mailto:marketing@ghostbed.com) goes to GhostBed's Director of Marketing Calisha Anderson.

11. Honest Reviews, LLC has a single source of income which is Google AdSense which places ads on each page, keyed to each individual user's browser history. Honest

Reviews, LLC makes no additional money through affiliate ads. The revenue has absolutely no tie to the content of any particular review.

12. Honest Reviews, LLC has never received any consideration from Ghostbeds or any other sleep industry company.

13. No company, person, or product has any influence over reviews of their products or the products of their competitors which may appear on <honestmattressreviews.com>.

14. Honest reviews published numerous articles about Purple Innovations, LLC's products including:

- a. Casper Mattress Protector vs Purple Mattress Protector Pricing  
<https://www.honestmattressreviews.com/casper-vs-purple-mattress-protector/>
- b. Purple Launches the World's First Bamboo-Based Ultra-Stretchy Sheets  
<https://www.honestmattressreviews.com/purple-bed-sheets/>
- c. Purple Mattress Now Available In California King Size  
<https://www.honestmattressreviews.com/purple-mattress-california-king/>
- d. Purple Launches Their New Big Foot Soon To Be Viral Video  
<https://www.honestmattressreviews.com/new-purple-big-foot-video/>
- e. Take A Tour Through Purple's Mattress Factory In Utah  
<https://www.honestmattressreviews.com/purple-mattress-factory/>
- f. Purple Pillow Raises \$2,640,852 On KickStarter  
<https://www.honestmattressreviews.com/purple-pillow-kickstarter-success/>
- g. Purple Pillow Raises over \$2M Dollars On KickStarter  
<https://www.honestmattressreviews.com/purple-pillow-raises-over-2m-dollars-on-kickstarter/>
- h. Only 70 Hours Left to Back the Purple Pillow KickStarter Campaign!  
<https://www.honestmattressreviews.com/purple-pillow-kickstarter-update/>
- i. Update – Purple Mattress Raises over \$1M on Kickstarter and Still Has 14 Days Left  
<https://www.honestmattressreviews.com/purple-kickstarter-1-million/>
- j. With 23 Days to Go Purple Pillow Has Raised over 639K on KickStarter  
<https://www.honestmattressreviews.com/purple-pillow-kickstarter/>

k. Harmon Brothers, The Creative Geniuses Named Sales & Marketer of the Year  
<https://www.honestmattressreviews.com/harmon-brothers-named-sales-marketer-of-the-year/>

l. We Found the Real 'Goldilocks' from the Raw Egg Test Video  
<https://www.honestmattressreviews.com/purple-mattresswe-found-the-real-goldilocks-from-the-raw-egg-test-video/>

15. Honest Reviews, LLC is a by appointment only business, which operates on the second floor of a commercial building with many other offices. Most of the businesses are not open to the public and by default, the doors of the building are locked. When I realized a process server might be trying to deliver papers relating to this lawsuit, I unlocked the doors specifically to allow for service to occur.

16. There is no dispute that Purple Innovations covers the inside of their mattress with a powder substance. I recently ordered a purple mattress and had it delivered to my office.

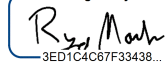
17. I took photographs and video of the mattress being unpacked. In order to see the powdery substance, one must cut open the mattress. It is not visible from the outside. Accordingly, customers who buy the mattress would not know about the substance and could not remove the substance in order to mitigate the risk of inhaling it. I have attached photographs of the mattress I opened at my office as **Exhibit A** to this declaration.

18. I am also providing a copy of the video I took of opening the mattress, which demonstrates the sheer volume of this powder inside the mattress. This video will be manually filed.

19. Images of the inside of the mattress that Purple uses for marketing and advertising purposes do not show the powder substance. *See* Declaration of Trey Rothell.

Pursuant 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: 3/7/2017

DocuSigned by:  
  
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Ryan Monahan